

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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PHILANDER PHILIPPEAUX,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

18-cv-5974 (RA)

13-cr-277 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 14, 2020, the Court denied several motions pending in Mr. Philippeaux's habeas case (No. 18-cv-5974) and his underlying criminal case (No. 13-cr-277), explaining that they all "lack[ed] merit" and "rehash[ed] arguments that [had] been previously raised and rejected." *See* Dkt. 62 (No. 18-cv-5974); Dkt. 156 (No. 13-cr-277). The Court further reminded Mr. Philippeaux that if he continues to file frivolous or meritless documents in these cases, the Court may direct him to show cause why he should not be barred from filing further documents.

On October 19, 2020, Mr. Philippeaux moved to alter or amend the Court's October 14 order pursuant to Fed. R. Civ. P. 59(e), *see* Dkt. 63 (No. 18-cv-5974), and for reconsideration of that same order in the criminal case, *see* Dkt. 157 (No. 13-cr-277). These motions lack merit and are all similarly denied. On November 3 and 4, 2020, Mr. Philippeaux also moved for default judgment in each case with respect to two previously pending motions on the ground that the Government had not opposed them. *See* Dkt. 65 (18-cv-5974); Dkt. 158 (13-cr-277). These motions also lack merit, seeing as the Court has rejected all of Mr. Philippeaux's previously pending motions, and they are denied. Mr. Philippeaux is again reminded that if he continues to file frivolous or meritless documents, the Court may direct him to show cause why it should not impose a filing sanction.

The Clerk of Court is respectfully directed to terminate the motions in No. 13-cr-277 pending at Dkt. 157 and Dkt. 158, and the motions in No. 18-cv-5974 pending at Dkt. 63 and Dkt.

65. The Clerk of Court is further directed to mail a copy of this order to Petitioner.

SO ORDERED.

Dated: November 16, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams
United States District Judge